

**16-6a-1407 Disposition of claims by publication.**

- (1) A dissolved nonprofit corporation may publish notice of its dissolution and request that persons with claims against the nonprofit corporation present them in accordance with the notice.
- (2) The notice described in Subsection (1) shall:
  - (a) be published:
    - (i) one time in a newspaper of general circulation in:
      - (A) the county where:
        - (I) the dissolved nonprofit corporation's principal office is located; or
        - (II) if the dissolved nonprofit corporation has no principal office in this state, its registered office is or was last located; or
      - (B) if neither Subsection (2)(a)(i)(A) or (B) apply, Salt Lake County; and
    - (ii) as required in Section 45-1-101;
  - (b) describe the information that shall be included in a claim;
  - (c) provide an address at which any claim shall be given to the nonprofit corporation; and
  - (d) state that unless sooner barred by any other statute limiting actions, a claim will be barred if an action to enforce the claim is not commenced within three years after publication of the notice.
- (3) If the dissolved nonprofit corporation publishes a newspaper or website notice in accordance with Subsection (2), then unless sooner barred under Section 16-6a-1406 or under any other statute limiting actions, the claim of any claimant against the dissolved nonprofit corporation is barred unless the claimant commences an action to enforce the claim against the dissolved nonprofit corporation within three years after the publication date of the notice.
- (4) For purposes of this section:
  - (a) "claim" means any claim, including claims of this state, whether:
    - (i) known;
    - (ii) due or to become due;
    - (iii) absolute or contingent;
    - (iv) liquidated or unliquidated;
    - (v) founded on contract, tort, or other legal basis; or
    - (vi) otherwise; and
  - (b) an action to enforce a claim includes:
    - (i) any civil action; and
    - (ii) any arbitration under any agreement for binding arbitration between the dissolved nonprofit corporation and the claimant.

Amended by Chapter 388, 2009 General Session